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8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

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11 WILLIAM J. WHITSITT, Plaintiff, Case No.: C08-02139 BZ

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13 v.

14 DEPUTY SHERIFF WHEATFALL, BADGE  
#429; DEPUTY SHERIFF A. GARTH, BADGE  
# 1340; UNNAMED POLICE OFFICER;  
15 CENTRAL TOWING & TRANSPORT; COUNTY  
OF ALAMEDA, SHERIFF'S DEPARTMENT;  
16 CITY OF DUBLIN POLICE SERVICES;  
UNNAMED DEFENDANTS

17 Defendant.

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DEFENDANT COUNTY OF ALAMEDA'S  
DECLINATION TO PROCEED BEFORE A  
MAGISTRATE JUDGE AND REQUEST  
TO BE REASSIGNED TO A UNITED  
STATES DISTRICT COURT JUDGE

20 REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE.

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1 Defendants DEPUTY WHEATFALL, DEPUTY GARTH, COUNTY OF ALAMEDA  
2 SHERIFF'S DEPARTMENT; and CITY OF DUBLIN POLICE SERVICES, ("County Defendants")  
3 hereby decline to proceed before a Magistrate Judge, and request reassignment of the case to  
4 a United States District Judge.

5  
6 DATED: July 17, 2008

RICHARD E. WINNIE  
7 County Counsel in and for the County of  
Alameda, State of California

8 By  
9

10 DIANE C. GRAYDON  
11 Deputy County Counsel  
12 Attorneys for Defendants

1 DECLARATION OF SERVICE

2 William J. Whitsitt v. Deputy Sheriff Wheatfall, et al.

3 Case No. C08-02139 BZ

4 I, Sandra Walker, declare that:

5 I am a citizen of the United States, over the age of 18 years and not a party to the within  
6 entitled action. I am employed at the Office of the County Counsel, County of Alameda, 1221  
Oak Street, Suite 450, Oakland, California 94612-4296.

7 On July 18, 2008, I served the following document:

8 **DEFENDANT COUNTY OF ALAMEDA'S DECLINATION  
9 TO PROCEED BEFORE A MAGISTRATE JUDGE AND  
10 REQUEST TO BE REASSIGNED TO A UNITED STATES  
11 DISTRICT COURT JUDGE**

12 on the following parties:

13 William J. Whitsitt  
335 W. Clover Road  
Tracy, CA 95376

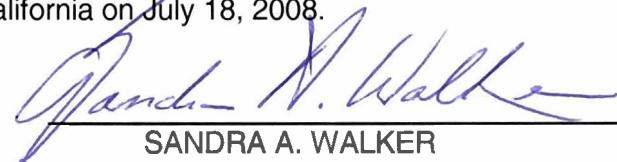
14 [X] BY MAIL: I caused true and correct copies of the above document(s) to be placed and  
15 sealed in an envelope (or envelopes) addressed to the addressee(s) with postage  
16 thereon fully prepaid, and I further caused said envelope(s) to be placed in the United  
17 States mail, in the City of Oakland, California.

18 [] BY FACSIMILE: I caused a copy (or copies) of such document(s) to be sent via facsimile  
19 transmission to the office(s) of the addressee(s).

20 [] BY PERSONAL SERVICE: I caused true and correct copy (or copies) of the above  
21 document(s) to be placed and sealed in an envelope (or envelopes) addressed to the  
22 addressee(s) and I caused such envelope(s) to be delivered by hand on the office(s) of  
23 the addressee(s).

24 [] BY FEDERAL EXPRESS: I caused true and correct copy (or copies) of the above  
25 document(s) to be placed and sealed in an envelope (or envelopes) addressed to the  
26 addressee(s) and I caused such envelope(s) to be delivered to Federal Express for  
27 overnight courier service to the office(s) of the addressee(s).

28 I declare under penalty of perjury that the foregoing is true and correct and that this  
declaration was executed at Oakland, California on July 18, 2008.



SANDRA A. WALKER